

City of West Linn
PRE-APPLICATION CONFERENCE MEETING
Summary Notes
July 7, 2016

SUBJECT: Boat dock and ramp at 19030 Nixon Avenue
FILE: PA-16-12
ATTENDEES: Applicant: Michael and Emily Harris
Staff: Peter Spir, Associate Planner

The following is a summary of the meeting discussion provided to you from staff meeting notes. Additional information may be provided to address any "follow-up" items identified during the meeting. These comments are PRELIMINARY in nature. Please contact the Planning Department with any questions regarding approval criteria, submittal requirements, or any other planning-related items. Please note disclaimer statement below.

Site Information

Site Address: 19030 Nixon Avenue
Tax Not No.: Tax lot 404 of Assessor's Map 21E24BA
Area: 14,653 sq. ft.
Neighborhood: Robinwood N.A.
Zoning: R-10
Applicable code: CDC Chapter 28: Willamette and Tualatin River Protection Area (WRG)
CDC Chapter 27: Flood Management Area (FMA)

Proposal

The applicant proposes to construct a private ramp and dock. The four foot wide ramp would extend 20 feet into the river. The dock would be nine feet wide by 16 feet long. Vertical pilings would be used and sized to secure the dock in the event of a 100-year flood. There is an existing "Joint Use" dock on the property shared with the neighbor to the north.

Details

FMA and WRG permits are required for the new dock. For the application, the applicant should note the dimensional standards of CDC 28.110(1). In particular, (1)(2): *"Both joint and single use docks shall not extend into the water any further than necessary to provide four feet between the ship's keel or fixed propeller/rudder and the bottom of the water at any time during the water's lowest point."* And (1)(4): *"Docks on sloughs and similar channels shall not extend more than 30 percent of the distance between two land masses at OHW, such as between the mainland and an island or peninsula, measured in a lineal manner at right angle to the dominant shoreline. In no way shall a dock impede existing public usage or block navigation of a channel."*

Because an existing “Joint Dock” is located in front of the applicant’s property, the “Joint dock” may need to be relocated in front of the property to the north (19010 Nixon) with new WRG and FMA permits in order to meet the setbacks of CDC 28.110 (I)(1). These undertakings may be required prior to a new dock for 19030 Nixon Avenue, being approved and installed.

Applicable US Army Corps of Engineers and Oregon Department of State lands permits are the responsibility of the applicant. Also, relating to 28.110(I) (2) above, please note that NOAA-Fisheries review of the allowable depth may be central to the application.

Process

The FMA permit requires meeting the standards of CDC Chapter 27. A FEMA Elevation Certificate is required. There is a FMA deposit fee of \$1,050. The WRG permit requires meeting the standards of CDC Chapter 28. There is a WRG deposit fee of \$1,700. The CDC is online at <http://westlinnoregon.gov/cdc>. The application form must be signed by the property owner.

N/A is not an acceptable response to the approval criteria. The submittal requirements may be waived, but the applicant must first identify the specific submittal requirement and request, in letter form, that it be waived by the Planning Manager and must identify the specific grounds for that waiver. Once the application and fee are submitted, the City has 30 days to determine if the application is complete or not. If the application is not complete, the applicant has 180 days to make it complete or provide written notice to staff that no other information will be provided.

Once the submittal is deemed complete, staff will provide notice per CDC Chapter 99. The Planning Manager will approve, approve with conditions or deny the application. Appeals of the Planning Manager’s decision are heard by City Council.

Pre-application notes are void after 18 months. After 18 months with no application approved or in process, a new pre-application conference is required.

Typical land use applications can take 6-10 months from beginning to end.

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| <p>DISCLAIMER: This summary discussion covers issues identified to date. It does not imply that these are the only issues. The burden of proof is on the applicant to demonstrate that all approval criteria have been met. These notes do not constitute an endorsement of the proposed application <i>or provide any assurance of potential outcomes.</i> Staff responses are based on limited material presented at this pre-application meeting. New issues, requirements, etc. could emerge as the application is developed. <i>A new pre-application conference would have to be scheduled one that period lapses and these notes would no longer be valid. Any changes to the CDC standards may require a different design or submittal.</i></p> |
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